

**MINUTES - U.S. DISTRICT COURT
DISTRICT OF SOUTH DAKOTA - CENTRAL DIVISION**

**JUDGE: Mark A. Moreno
CASE NO: 17-30109-RAL
Courtroom Deputy: CJH
Probation Officer: Melisa Forest**

**Recorded by: FTR - Bankruptcy
Date: August 22, 2017**

**Case:
UNITED STATES OF AMERICA,
Plaintiff,
-vs-
DUANE MEDNANSKY,
Defendant.**

**Attorneys:

Kirk W. Albertson

Matthew M. Powers**

COUNTS: Sexual Abuse of a Minor and Abusive Sexual Contact

MAXIMUM POSSIBLE PENALTY: Count I: 15 years custody; \$250,000 fine, or both; mandatory minimum of 5 years up to life of supervised release; violation of condition of release could result in 2 years additional incarceration on any such revocation with one exception. If the Defendant is found to have violated any condition of his supervised release, he may be incarcerated for an additional term of up to 5 years for each violation with one exception. If the Defendant commits a new felony violation of chapter 109A, 110, or 117, or section 1201 or 1591 while on supervised release, he may be incarcerated for a mandatory minimum term of 5 years up to life for each violation; \$100 assessment; restitution

Count II: 2 years custody; \$250,000 fine, or both; mandatory minimum of 5 years up to life of supervised release; violation of condition of release could result in 2 years additional incarceration on any such revocation with one exception. If the Defendant is found to have violated any condition of his supervised release, he may be incarcerated for an additional term of up to 5 years for each violation with one exception. If the Defendant commits a new felony violation of chapter 109A, 110, or 117, or section 1201 or 1591 while on supervised release, he may be incarcerated for a mandatory minimum term of 5 years up to life for each violation; \$100 assessment; restitution

Defendant's Age: 47 Level of Education: High School Graduate + Mechanic's Degree

Hearing Set @ 3:30 p.m. Hearing Begun @ 3:39 p.m.

INITIAL APPEARANCE (6 mins.)

Defendant received a copy of the Indictment and understands the allegations and maximum possible penalties
Defendant advised of right to remain silent and to counsel

Defendant advises he may retain counsel in the future

Court finds Defendant qualifies for appointment of counsel under CJA.

Federal Public Defender's Office appointed effective August 22, 2017 for today's proceedings only.

The Court advises Defendant that he needs to retain counsel ASAP and that whoever he hires needs to file a Notice of Appearance

DETENTION HEARING (17 mins.)

Mr. Miller advises that the Government has no objection to Defendant's release with conditions, including no contact with the alleged victims

Minutes

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Mr. Powers presents release plan and proffers and remarks in support thereof.

The Court rules, based on the findings made on the record, that Defendant's request for release is granted on a temporary basis. Defendant is to submit to a pretrial release interview with Probation prior to appearing for arraignment and a bail review hearing. A further condition of release is that Defendant shall retain counsel within 7 days of today's date and an arraignment and a bail review hearing shall be set after consultation with counsel.

() **OTHER:**

Hearing Ended @ 4:02 p.m.

Reported in Court Time: 23 mins.